

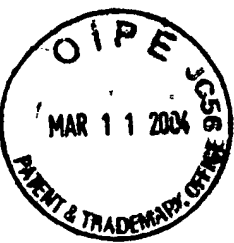


TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number	10/657,010
		Filing Date	September 5, 2003
		First Named Inventor	Kyosuke Achiwa
		Art Unit	2188
		Examiner Name	Mano Padmanabhan
Total Number of Pages in This Submission	5 **	Attorney Docket Number	16869S-026610US

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i> USPTO forms SB08A and SB08B (two pages), copy of one cited non-patent reference, Return Postcard
Remarks		The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.
** The one cited reference is not included in the total number of pages submitted in this submission		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual	Townsend and Townsend and Crew LLP George B. F. Yee Reg. No. 37,478
Signature	
Date	March 8, 2004

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Cynthia McKinley		
Signature		Date	March 8, 2004



PATENT
Attorney Docket No.: 16869S-026610US
Client Reference No.: E5883-03 EO

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Kyosuki Achiwa et al.

Application No.: 10/657,010

Filed: September 5, 2003

For: STORAGE APPARATUS SYSTEM
AND METHOD OF DATA BACKUP

Examiner: Mano Padmanabhan

Art Unit: 2188

INFORMATION DISCLOSURE
STATEMENT UNDER 37 CFR §1.97 and
§1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of the foreign patent references are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR §1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the

undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



George B. F. Yee
Reg. No. 37,478

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60158796 v1

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT
(use as many sheets as necessary)

Sheet 1 of 2

Complete if Known	
Application Number	10/657,010
Filing Date	September 5, 2003
First Named Inventor	Kyosuke Achiwa
Art Unit	2188
Examiner Name	Mano Padmanabhan
Attorney Docket Number	16869S-026610US

U.S. PATENT DOCUMENTS+					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code ² (if known)			
	1	US-6,539,462	03-25-2003	Mikkelsen et al.	
	2	US-5,819,020	10-06-1998	Beeler	
	3	US-5,742,792	04-21-1998	Yanai et al.	
	4	US-5,692,155	11-25-1997	Iskiyan et al.	
	5	US-5,544,347	08-06-1996	Yanai et al.	
	6	US-5,379,398	01-03-1995	Cohn et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)		

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² Kind Codes of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

60158796 v1

Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Complete if Known	
				<i>Application Number</i>	10/657,010
				<i>Filing Date</i>	September 5, 2003
				<i>First Named Inventor</i>	Kyosuke Achiwa
				<i>Art Unit</i>	2188
				<i>Examiner Name</i>	Mano Padmanabhan
Sheet	2	of	2	<i>Attorney Docket Number</i>	16869S-026610US

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	7	ROSENBLUM "The Design and Implementation of a Log-Structured File System," ACM Transactions on Computer Systems 10:26-52 (1992).	

Examiner Signature		Date Considered	
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¹ EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.